

A year after he took command of BP's oil spill claims system, Ken Feinberg has paid out just one quarter of the oil company's \$20 billion claims fund while many South Alabama businesses hit hard due to the 2010 spill continue to fight for just compensation.

On August 16, Mr. Feinberg announced that businesses continuing to seek claims would first have to prove that they are profitable. "Claimants must demonstrate a revenue and/or earnings growth of at least five percent from 2010." Mr. Feinberg says his "five percent rule" is intended to weed out those claimants whose losses were based on the weak economy or factors other than the oil spill itself.

Coastal Alabama, with its tourist-based economy, was directly affected by the oil spill, which fouled our beaches and drove away nearly one million vacationers last year. While many local businesses are seeing earnings growth this year, it is unclear how many were dealt such a serious blow by the spill that they have been unable to quickly bounce back. Therefore the "five percent rule" may, in fact, hurt the very businesses that suffered the most from the spill.

My offices continue to receive complaints from local business owners whose claims were denied by Mr. Feinberg's Gulf Coast Claims Facility (GCCF) despite their having demonstrated legitimate losses. A lack of consistency and transparency in the claims process led me to call for an independent audit of Mr. Feinberg's GCCF in June. Last month, U.S. Attorney General Eric Holder agreed to such an audit, and I am pressing the Justice Department to begin this review as soon as possible.

While we all agree that unjustified claims should not be paid, Mr. Feinberg has yet to demonstrate that his claims system has afforded all claims full and fair consideration. Until he can do so, the implementation of arbitrary litmus tests such as his new "five percent rule" only supports the view that the GCCF is more interested in protecting BP's bottom line than in making whole those who lost their livelihoods due to BP's disaster.

### **Spanish Fort Veterans Cemetery Soon to be Reality:**

A decades-long dream of local veterans is now within reach. U.S. Secretary of Veterans Affairs

Eric Shinseki recently announced the approval of a \$7 million grant to build a veterans cemetery on a 103 acre site near Saluda Hill, just outside of Spanish Fort in Baldwin County.

For nearly 50 years, South Alabama veterans have been without access to a cemetery dedicated to honoring their service. The Mobile National Cemetery, which was established in 1865, was closed to interments in 1962, leaving the lower part of the state without an active veterans cemetery. This hardship forced veterans to seek burial arrangements in northern Alabama or out of state.

In 1992, local officials took up the cause, pressing for an expansion of the Mobile National Cemetery using land at Hartwell Field. After that proved unsuccessful, former Congressman Sonny Callahan sought to designate property at Brookley Field for the expanded cemetery. Unfortunately, growth at Brookley finally prevented this effort. In 2006, I convened a meeting of South Alabama veterans, local officials and officials from the VA Cemetery Administration to chart a solution. Ultimately, land was located near Spanish Fort and the process of securing the rights to the new cemetery began.

At the same time, I worked with Senators Sessions and Shelby to reach an agreement with the U.S. Department of Veterans Affairs to build the new cemetery. Under the terms of the agreement, the State of Alabama will own and maintain the site, which will meet the same standards as national veterans cemeteries.

With the approval of the federal funds, the last hurdle in the process to begin construction of the new Alabama State Veterans Memorial Cemetery at Spanish Fort has finally been cleared. We cannot thank our veterans enough for their service to our country. However, we can provide them with a solemn resting place dedicated to honoring their sacrifice to preserve our liberty. The new state veterans cemetery in Spanish Fort will be a fitting final tribute to America's heroes.

### **Earthquake Rattles DC:**

Last week's magnitude 5.8 earthquake shook up Capitol Hill, prompting Capitol Police to close Congressional offices early. While cracks were discovered in some Congressional office buildings, I am happy to report that there was no injury to my staff or damage to my office, other

than a few fallen pictures.

According to reports, the Washington Monument and Washington National Cathedral each sustained damage to the top of their structures, forcing both tourist attractions to close until repairs can be made.

My staff and I work for you. If we can ever be of service, do not hesitate to call my office toll free at 1-800-288-8721.

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